

Appl. No. 10/603,126
Amdt. dated June 23, 2005
Reply to Office Action of May 16, 2005

PATENT

Amendments to the Claims:

This listing of claims will replace all prior versions, and listings of claims in the application:

Listing of Claims:

- 1 1. (Currently Amended) A breathable footwear piece comprising:
2 a base section including an upper and a sole formed as a single part manufactured
3 from a moldable foam material; and
4 a strap section formed of a moldable foam material that is attached at opposite
5 ends thereof to the upper of the base section at a pair of attachment points such that the strap
6 section is in direct contact with the base section at the attachment points and pivots relative to the
7 base section at the attachment points; and wherein frictional forces developed by the contact
8 between the moldable foam material of the strap section and the moldable foam material of the
9 base section at the attachment points are sufficient to maintain the strap section in place after
10 pivoting; and
11 wherein the upper includes a substantially horizontal portion and a substantially
12 vertical portion;
13 ~~and wherein the ventilators extend up a majority of the height of the vertical~~
14 ~~portion.~~

1 2. (Currently amended) The breathable footwear piece of claim 1, wherein
2 liquid conductors are formed around ~~each of the~~ a plurality of ventilators formed in the upper,
3 each liquid conductor comprising a raised structure that can divert liquid falling from above the
4 footwear piece from entering through the ventilator.

1 3. (Original) The breathable footwear piece of claim 2, wherein the liquid
2 conductors are attached to the upper.

1 4. (Original) The breathable footwear piece of claim 2, wherein the liquid
2 conductors are formed as part of the upper.

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Claim 5 (canceled).

1 6. (Currently amended) The breathable footwear piece of claim 2 5, wherein
2 the plurality of ventilators in the form of holes are formed in the upper as part of molding the
3 base section.

Claims 7-9 (canceled).

1 10. (Previously presented) The breathable footwear piece of claim 1, wherein
2 the sole comprises a bottom surface and a support base, and wherein the support base includes a
3 raised pattern extending throughout the surface where a foot contacts the support base.

Claims 11-20 (canceled).

1 21. (Previously presented) The breathable footwear piece of claim 1 wherein
2 the upper includes an open rear region defined by an upper opening perimeter; and wherein a
3 decorative pattern is molded or otherwise created in the upper near to and extending the length of
4 the upper opening perimeter.

1 22. (Previously presented) The breathable footwear piece of claim 21 wherein
2 the upper opening perimeter extends between the points of attachment of the strap section to the
3 base section and contacts an area of the foot in front of and below the ankle.

1 23. (Previously presented) The breathable footwear piece of claim 1 wherein
2 the sole includes a bottom surface having front and rear tread patterns longitudinally connected
3 by a flat section without tread patterns bounded by raised side portions, and wherein each of the
4 front and rear tread patterns comprises an inner longitudinal tread portion and outer rectangular
5 tread portion.

1 24. (Previously presented) The breathable footwear piece of claim 1 wherein
2 the bottom surface of the sole includes a toe section and heel section, both of which are raised
3 slightly from the generally flat plane of the sole.

1 25. (Previously presented) The breathable footwear piece of claim 1 wherein
2 the sole further includes a top surface having a support base including a raised pattern where a
3 foot contacts the support base.

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1 26. (Previously presented) The breathable footwear piece of claim 1 wherein
2 the substantially horizontal portion and a substantially vertical portion of the upper forms a toe
3 region that generally follows the contour of a human foot, wherein the toe region tapers from the
4 inner area of the base section where the larger toes exist to the outer area of the base section
5 where the smaller toes exist.

1 27. (Currently amended) A footwear piece comprising:
2 a base section including an upper and a sole formed as a single part manufactured
3 from a moldable foam material; and
4 a strap section formed of a molded foam material attached at opposite ends
5 thereof to the base section such that the strap section is in direct contact with the base section and
6 pivots relative to the base section; and

7 wherein the upper includes an open rear region defined by an upper opening
8 perimeter; and wherein the sole includes a rear perimeter; and wherein the strap section pivots
9 between a first contact point on the upper opening perimeter and a second contact point on the
10 rear perimeter, and wherein frictional forces developed by the contact between the strap section
11 and the base section at the points of attachment are sufficient to maintain the strap section in
12 place in an intermediary position after pivoting whereby the strap section lends support to the
13 Achilles portion of a human foot inserted in the open rear region; and

14 wherein the upper includes a substantially horizontal portion and a substantially
15 vertical portion forming a toe region that generally follows the contour of a human foot, wherein
16 the toe region tapers from the inner area of the base section where the larger toes exist to the
17 outer area of the base section where the smaller toes exist; and

18 wherein a decorative pattern of raised bumps is molded or otherwise created in
19 the upper near to and extending the length of the upper opening perimeter; and

20 wherein a plurality of ventilators are formed in both the substantially vertical
21 portion and the substantially horizontal portion, and wherein the ventilators extend up a majority
22 of the height of the vertical portion;

23 wherein the vertical portion of the upper includes an upper strip, wherein the
24 ventilators are formed in the upper strip, and wherein the upper strip extends from the toe region

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25 to the points of attachment for the strap section, and wherein the sole includes a lower strip that
26 parallels the upper strip and is separated by a line that extends from the toe region to a heel of the
27 footwear piece, and wherein the lower strip vertically rises in a direction toward the heel; and
28 wherein the sole includes a bottom surface having front and rear tread patterns
29 longitudinally connected by a flat section without tread patterns bounded by raised side portions;
30 and
31 wherein the sole further includes a top surface having a support base including a
32 raised pattern where a foot contacts the support base.

1 28. (New) A footwear piece comprising:
2 a base section including an upper and a sole formed as a single part manufactured
3 from a moldable foam material; and
4 a strap section formed of a moldable material that is attached at opposite ends
5 thereof to the upper of the base section with plastic connectors such that the moldable foam
6 material of the strap section is in direct contact with the moldable material of the base section
7 and pivots relative to the base section at the connectors;
8 wherein the upper includes an open rear region defined by an upper opening
9 perimeter, and wherein frictional forces developed by the contact between the strap section and
10 the base section at the plastic connectors are sufficient to maintain the strap section in place in an
11 intermediary position after pivoting, whereby the strap section lends support to the Achilles
12 portion of the human foot inserted in the open rear region; and
13 wherein the upper includes a substantially horizontal portion and a substantially
14 vertical portion forming a toe region that generally follows the contour of a human foot, wherein
15 the toe region tapers from an inner area of the base section where the larger toes exist to an outer
16 area of the base section where the smaller toes exist; and
17 wherein the sole includes a bottom surface having front and rear tread patterns
18 longitudinally connected by a flat section.